IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18201 of 2004

Between:

Md. Sarvar, s/o Khaja Moinuddin,
RTS-B Station, Ramagundam, Karimnagar District.

..... PETITIONER

AND

1 The Managing Director, APGENCO, Vidyut Soudha, Hyderabad.
2 The Chief Engineer, Ramagundam Thermal Station,
Ramagundam, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents in not considering the petitioner for absorption on regular basis in the post of Driver in spite of his long spell of 9 years thereby continuing him on contract basis as highly illegal, arbitrary and violative of Art. 14 of the constitution of India.

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondents: SMT.K.SESHARAJYAM

The Court, at the stage of admission, made the following :

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ORAL ORDER

The petitioner is working as a driver on contract basis. He claims that he has been working in that capacity since December,1995. The petitioner contends that he is eligible for appointment on regular basis, but, the respondents are not considering his case even after nine (9) years of service for appointment on regular basis. The petitioner, therefore, approached this Court through this Writ petition seeking a direction to the respondents to consider the case of the petitioner for absorption on regular basis to the post of driver by taking into consideration his long standing service of 9 years on contract basis.

The petitioner appears to have not made any representation to the respondent-Corporation to consider his case for regular absorption. Having regard to the submissions made by the petitioner, the 2nd respondent is directed to examine the case of the petitioner regarding his claim of nine (9) years experience as a contract driver, consider whether he is eligible for regular appointment and pass appropriate orders as and when the appointments on regular basis are proposed to be made.

Accordingly, the writ petition is disposed of. No order as to costs.

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Dr.G.YETHIRAJULU,J

17th NOVEMBER 2004

*TSNR

TO

1 The Managing Director, APGENCO, Vidyut Soudha, Hyderabad.

2 The Chief Engineer, Ramagundam Thermal Station,
Ramagundam, Karimnagar District.

3 Two C.D.Copies